

Serial No. 09/476,290

REMARKS

The claims have been restricted into three groups of invention as follows:

- Group 1: Claims 1-3, 6-10, and 18-21 human neurturin growth factor
- Group 2: Claim 61 method for detecting growth factor with antibodies
- Group 3: Claim 62 kit with antibodies

The above restricted claims are not the claims that Applicants intended to present to the USPTO for examination in the present application. Applicants had presented the above restricted claims at the time of filing the present application. However, before any examination commenced, Applicants submitted a preliminary amendment under 37 C.F.R. 1.115, which cancelled the above restricted claims and presented new claims 99-126 for examination. Applicants submit herewith a copy of the filing receipt and the preliminary amendment. Applicants respectfully request that the Office examine claims 99-126 and issue a new office action for these claims.

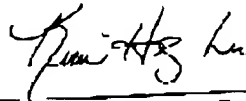
Nevertheless, to comply with 37 C.F.R. 1.143, Applicants hereby provisionally elect Group 3. Again, Applicants did not intend to prosecute any of the above restricted claims. Instead, Applicants wishes to prosecute claims 99-126 in the present application.

Serial No. 09/476,290

CONCLUSION

Applicants believe they have complied with the Examiner's restriction requirement. Applicants respectfully request that the Office issue a new office action that addresses claims 99-126 and cancel or disregard the present restriction requirement.

Respectfully submitted,



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09/476,290 Reg. No. 6029-2669

Serial No. _____

Title/Trademark: Leurturin and Related Growth Factors

In the Matter of Johnson et al. (Washington U.)

The following has been received there on the date stamped hereon:

2-23-01 (1be)

☐ Affidavit ☐ Notice of Appeal

☐ Affidavit under Section 4 & 15 ☐ Declaration & Power of Attorney

☒ Amendment (Preliminary) ☐ Petition

☐ Assignment ☐ ID#

☐ Maintenance Fee Transmittal ☐ Statement of Use

☒ Check #36985 \$144.00 ☐ Renewal Application

☐ Issue Fee Transmittal ☐ Trademark Application

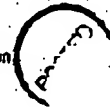
☐ Drawings _____ Sheet(s) (Format: _____) ☐ Patent Application

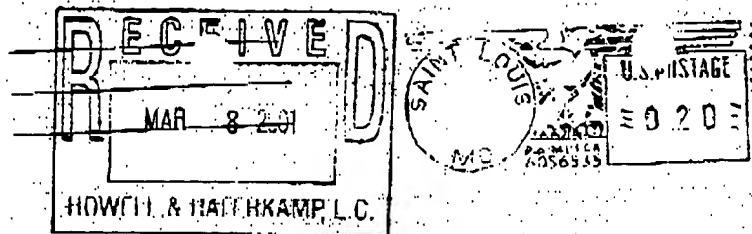
☐ Notice of Opposition ☐ Response

☐ Letter ☐ Specimen **MAR 08 2001**

☐ Motion ☐ Small Entity

☒ Transmittal (in duplicate)





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6029-2669

Serial No. 09/17,290 Reg. No. _____ Do. No. _____

Title/Trademark Neurturin and Related Growth Factors

In the Matter of Johnson et al. (Washington U.)

The following has been received there on the date stamped hereon:
2-23-01 (1be)

| | |
|--|--|
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Affidavit under Section A & 15 (Preliminary) | <input type="checkbox"/> Declaration & Power of Attorney |
| <input checked="" type="checkbox"/> Amendment | <input type="checkbox"/> Petition |
| <input type="checkbox"/> Assignment | <input type="checkbox"/> IDS |
| <input type="checkbox"/> Maintenance Fee Transmittal | <input type="checkbox"/> Statement of Use |
| <input checked="" type="checkbox"/> Check #36985 \$144.00 | <input type="checkbox"/> Renewal Application |
| <input type="checkbox"/> Issue Fee Transmittal | <input type="checkbox"/> Trademark Application |
| <input type="checkbox"/> Drawings _____ Sheet(s) (Formal; Informal) | <input type="checkbox"/> Patent Application |
| <input type="checkbox"/> Notice of Opposition | <input type="checkbox"/> Response |
| <input type="checkbox"/> Letter | <input type="checkbox"/> Specimens |
| <input type="checkbox"/> Motion | <input type="checkbox"/> Small Entity |
| <input checked="" type="checkbox"/> Transmittal (in duplicate) | |

36985

HOWELL & HAFERKAMP, L.C.

COUNSELORS AT LAW
3/2001

Office Date

Commissioner of Patents & Trademarks

Reference No.

Description

Johnson et al. (Wash U) Amendment

Matter ID
6029-2669Amount
144.00

3/2001

144.00

TOTAL PAID INVOICES

36985

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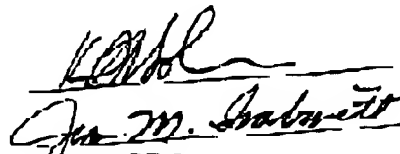
Matter ID: 6029-2669

Express Mail/Invoice Number:

MEMO: S/N 09/176,290

DATE
2/23/2001AMOUNT
\$** 144.00

One Hundred Forty-Four & No/100 Dollars

PAY
TO THE
ORDER
OFCommissioner of Patents & Trademarks
Washington, D.C. 20231


⑈036985⑈ ⑈081000210⑈

1999052620⑈

PATENT

Docket Number: 6029-2669

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to BOX FEE AMENDMENT, Assistant Commissioner for Patents, Washington, D.C. 20231 on

February 23, 2001

Elie H. Gendloff
Elie H. Gendloff
Reg. No. 44,704

Examiner: unknown

Group Art Unit 1649

In re Application of: Johnson et al.
Serial No.: 09/476,290
Filed: December 30, 1999
For: NEURTIRIN AND RELATED GROWTH
FACTORS

BOX FEE AMENDMENT
Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT TRANSMITTAL LETTER

Transmitted herewith is an amendment in the above-identified application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDED FEE |
|----------------------------------|---|---------------------------------------|------------------|---------|--------------|
| TOTAL | 28 | 20 | 8 | \$18.00 | \$144.00 |
| INDEP. | 1 | 3 | 0 | \$80.00 | \$.00 |
| TOTAL FEES FOR ADDITIONAL CLAIMS | | | | | \$144.00 |

A petition for a month extension of time is enclosed.

If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 18 1829 accordingly.

A check in the amount of \$144.00 is attached.

No additional fee is required.

Please charge any deficiencies or credit any overpayment to Deposit Account 18-1829. A duplicate copy of this sheet is attached.

Respectfully submitted,

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

St. Louis, Missouri
February 22, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C.
20231 on February 23, 2001.


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In re application of:
Johnson et al.

Serial No.: 09/476,290

Filed: December 30, 1999

For: NEURTURIN AND RELATED
GROWTH FACTORS

Examiner: unknown

Group Art Unit 1649

Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

This paper is submitted as a preliminary amendment to correct for inaccuracies in the citation of figures in the description, to delete all reference to figures that were not included in the application-as-filed and to present new claims that are more clear and distinct. The applicant respectfully requests that the application be amended as indicated and the remarks be entered in this case.

IN THE SPECIFICATION:

On page 59, line 20, please replace "11" with --12--.